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GREAT FALLS DIV.
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ATTORNEY FOR PLAINTIFF
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

IN THE MATTER OF
THE EXTRADITION OF:

RAGHVIR SINGH VIRK

CR 08-^{h3-08-52} -GF-RKS

COMPLAINT FOR PROVISIONAL
ARREST WITH A VIEW TOWARDS
EXTRADITION (18 U.S.C. § 3184)

I, the undersigned Assistant United States Attorney, being duly sworn, state on information and belief that the following is true and correct:

1. In this matter, I act for and on behalf of the Government of the United States.

2. There is an Extradition Treaty in force between the United States and India entitled *Extradition Treaty Between the Government of the United States of*

America and the Government of the Republic of India, Signed at Washington on June 25, 1997.

3. The Treaty provides in Article 12 for the provisional arrest and detention of alleged fugitives pending the submission of a formal request and supporting documents.

4. In accordance with Article 9 of the Treaty, the Government of India has asked the United States for the provisional arrest of RAGHVIR SINGH VIRK with a view towards his extradition.

5. According to the information provided by the requested state, RAGHVIR SINGH VIRK was charged with Conspiracy; Criminal Breach of Trust by a Public Servant, Merchant or Agent; Forgery for the Purpose of Cheating; and Misappropriation of Property Using Forged Documents, in violation of Section 120B, read with Sections 409, 468 and 471 of the Indian Penal Code; and Sections 409, 468 and 471 of the Indian Penal Code (substances offenses), committed within the jurisdiction of India, and a warrant for his arrest was issued on October 21, 2005, by Metropolitan Magistrate Judge Shv K. Khanna at New Delhi, India.

6. The warrant was issued on the basis of the following facts: from 1979 to 1980, VIRK was the owner of Adarsh Transport Co. in New Delhi, and a partner in the business Savatra Gas Service. During this period, he participated in a conspiracy to misappropriate 9679 gas cylinders belonging to the Indian Oil Corporation in New Delhi, by using false documents. The Indian Oil Corporation, which is a state-owned company, engaged in marketing various petroleum products

including liquid petroleum gas ("LPG"). The retail marketing of LPG was done through various distributors appointed by the Indian Oil Corporation, and the transportation of gas cylinders to these distributors was done by transporters appointed by the Indian Oil Corporation. Savatra Gas Service was an appointed distributor and Adarsh Transport Co. was one of the appointed transporters. According to the terms of the agreements with the distributors, the gas cylinders remained the property of the Indian Oil Corporation, and the distributors were to prepare monthly statements of receipt and dispatch of the cylinders. Savatra Gas Service and Adarsh Transport Co. conspired to misappropriate 9679 gas cylinders, by forging documents detailing the false dispatch of empty cylinders to the Indian Oil Corporation plant in Shakur Basti, New Delhi. VIRK instigated the preparation of the false documents and many of there were also signed by him. During the course of his trial for these offenses, and in contravention of his bail conditions, VIRK absconded.

7. The offenses with which RAGHVIR SINGH VIRK is charged are provided for in Article 2 of the Extradition Treaty cited above.

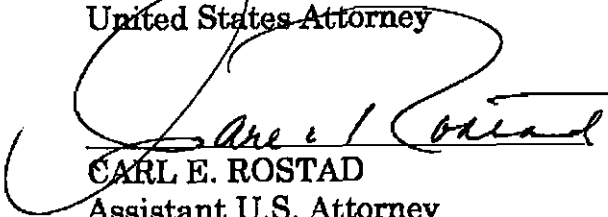
8. RAHGVIR SINGH VIRK may be found within the jurisdiction of this court at Great Falls, Montana.

9. The requesting state has represented that it will submit a formal request for extradition, supported by the documents specified in the Treaty, within the time required under the Treaty.

10. Attached to this complaint is the *Requisite Information in accordance with Article 12 of the Extradition Treaty between Govt. of India and Govt. of United States of America*, which was received from India this morning.

WHEREFORE, the undersigned complainant requests that a warrant for the arrest of the aforementioned person be issued in accordance with Title 18, United State Code, Section 3184, and the Extradition Treaty between the United States and India, and that this complaint and the warrant be placed under seal of the court.

WILLIAM W. MERCER
United States Attorney



CARL E. ROSTAD
Assistant U.S. Attorney

Sworn to before me and subscribed in my presence this 29th day of October, 2008, at Great Falls, Montana.



KEITH STRONG
United States Magistrate Judge